

57-8a-402 Applicability of part.

- (1) This part applies to an insurance policy or combination of insurance policies:
 - (a) issued or renewed on or after July 1, 2011; and
 - (b) issued to or renewed by:
 - (i) a lot owner; or
 - (ii) an association, regardless of when the association is formed.
- (2) Unless otherwise provided in the declaration, this part does not apply to a project if all of the project's lots are restricted to entirely nonresidential use.
- (3) Subject to Subsection (4), this part does not apply to a project if:
 - (a) the initial declaration for the project is recorded before January 1, 2012;
 - (b) the project includes attached dwellings; and
 - (c) the declaration requires each lot owner to insure the lot owner's dwelling.
- (4)
 - (a) An association to which this part does not apply under Subsection (3) may amend the declaration, as provided in the declaration and applicable law, to subject the association to this part.
 - (b) During the period of administrative control, an amendment under Subsection (4)(a) requires the consent of the declarant.

Amended by Chapter 152, 2013 General Session